

**NOT OFFICAL ADMINISTRATIVE CODE LANGUAGE  
WORKING DRAFT DOCUMENT FOR THE MARCH 2002 TAG MEETING**

**NR 445.0x Fuel, control and compliance requirements for compression ignition internal combustion engines combusting fuel oil.** (1) **APPLICABILITY.** This section applies to any compression ignition internal combustion engine which is capable of combusting fuel oil, except as follows:

- (a) An engine with rated brake power less than 100 horsepower.
- (b) An engine used to provide an essential service.
- (c) An engine used to power an emergency electric generator exempt under s. NR 406.03(1)(w) or s. NR 407.03(1)(u).

(2) **FUEL REQUIREMENTS.** Beginning [insert 6 months after the effective date of rule] the owner or operator of a compression ignition internal combustion engine shall only combust fuel oil designated for on-road use when firing the engine with fuel oil.

(3) **CONTROL REQUIREMENTS.** (a) Beginning [insert date 36 months after the effective date of rule] the owner or operator of a compression ignition internal combustion engine or engines which remain or will remain at a source for either 12 or more consecutive months, or for the full annual operating period at a seasonal source, and which combusts or will combust a total of 40,000 gallons or more of fuel oil, shall limit particulate emissions in accordance with one of the following:

1. For an engine installed at a source prior to [insert effective date of rule], install and operate a control device which is certified by either the California air resources board or the United States environmental protection agency to reduce particulate emissions to at least [emission rate]<sup>1</sup>, unless an alternative or equivalent control method is approved by the department.

2. For an engine installed or last modified on or after [insert effective date of rule], control particulate emissions to a level which is the best available control technology.

3. Where a compression ignition internal combustion engine capable of combusting fuel oil replaces an existing engine and performs the same or similar functions as the existing engine, the replacement will not be considered an interruption for purposes of determining under par. (a) how many months the existing engine remained, or will remain at the source or how many gallons of fuel oil the existing engine combusted or could combust in a 12 consecutive month period.

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<sup>1</sup> Yet to be established. Looking at CARB & EPA data. Will likely be in the form of grams per brake-horsepower-hour.

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(b) The owner or operator of a facility which conducts any testing involving the operation of an engine or engines subject to this section where the engine or engines combust 40,000 gallons or more of fuel oil in any 12 consecutive month period shall control particulate emissions from the facility from the engine or engines subject to this section to a level which is the best available control technology.

**(4) COMPLIANCE REQUIREMENTS.** (a) The owner or operator of an engine subject to sub. (3)(a)1. shall certify compliance with this section no later than [insert date 36 months after the effective date of rule] by providing all of the following information:

1. The rated horsepower of the engine.
2. The manufacturer name of the control device.
3. The product or model name of the control device.
4. The manufacturer's performance warranty for the control device [an emission rate of the controlled engine in grams per brake-horsepower hour].
5. The test method used to by the manufacturer to determine the emission rate in subd. 3.
6. The certifying agency for the control device.
7. The date the control device was first put into operation.

(b) The owner or operator of an engine subject to sub. (3)(a)2. shall submit information describing how best available control technology requirement will be met in a permit application in accordance with s. NR 406.03. Compliance with this section shall be demonstrated in accordance with the condition of the permit.

(c) The owner or operator of a facility constructed or last modified on or before [insert effective date of rule] subject to sub. (3)(b) shall submit information no later than [insert date 18 months after the effective date of rule] which describes how best available control technology requirement will be met. Compliance with this section shall be demonstrated in accordance with the condition of the permit.

1. For facilities required to obtain an operation permit under ch. NR 407 this information shall be submitted on the application forms required for an operation permit, an amendment to an application, renewal of the operation permit, or for a significant revision under s. NR 407.13.

2. For facilities not otherwise required to obtain an operation permit under ch. NR 407 this information shall be submitted on the application forms required for an operation permit.

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(d) The owner or operator of a facility constructed or last modified after [insert effective date of rule] subject to sub. (3)(b) shall submit information describing how best available control technology requirement will be met in a permit application in accordance with s. NR 406.03. Compliance with this section shall be demonstrated in accordance with the condition of the permit.

(e) Any submission made under this subsection shall be signed by a responsible official designated by the source for this purpose, with a statement that, based on information and belief formed after reasonable search and inquiry, the statements and information contained in the submission are true, accurate and complete.

**Note:** The address to submit information under par. (a) is: Wisconsin Department of Natural Resources, Bureau of Air Management, PO Box 7921, Madison, WI 53707, Attention: Compression Ignition Engine Certification

Application forms for par. (c) may be obtained from, and submitted to, the regional and area offices of the department or the Wisconsin Department of Natural Resources, Bureau of Air Management, PO Box 7921, Madison WI 53707-7921, Attention: Operation Permits.

Application forms for pars. (b) and (d) may be obtained from, and submitted to: Wisconsin Department of Natural Resources, Bureau of Air Management, PO Box 7921, Madison, WI 53707, Attention: Construction Permit.

*Note: Compliance extensions and application shield language in a revised NR 445 will include references to this section.*

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**NEW DEFINITIONS**

**NR 400.02(45e)** "Compression ignition internal combustion engine" means an engine design with operating characteristics significantly similar to the theoretical diesel combustion cycle. The absence of a throttle to regulate intake air flow for controlling power during normal operation is indicative of a compression ignition engine. Combustion of the fuel in the engine proper is indicative of an internal combustion engine.

**NR 445.02(xx)** "Essential service" means an activity to provide any of the following:

- (a) Nuclear power plant emergency backup power generation.
- (b) Combustion turbine start-up.
- (c) Safety or asset protection.

**Note:** Examples include activities to provide emergency heating, ventilation, lighting, flood relief or spills response.

**NR 445.02(yy)** "Seasonal source" means a stationary source that remains, or returns to, a single location for at least two years and that operates at that single location three months or more each year.